

Planner's Update

News that planners can use

September 2004

Issue One

Washington State Department of Community, Trade and Economic Development
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Greetings!

I hope you have had an enjoyable summer here in the beautiful Pacific Northwest! As you enter what I'm sure will be a very busy autumn, I have quite a bit of information to share with you from Growth Management Services (GMS). In the past, I've sent these updates through occasional letters addressed to planning directors. I hope this new format is easier to read and you can quickly access the information that is most important to you and your city or county. It will be sent on a regular basis to the planning director and highest elected official in each jurisdiction. As always, please feel free to call me at (360) 725-3000 if you have any questions or comments.

Sincerely,



Leonard Bauer, Managing Director
Growth Management Services

GMA Review and Update

Tips for a Successful GMA Update Process

One hundred and seventeen cities and counties are working feverishly toward a deadline of Wednesday, December 1, 2004, to review and, if necessary, revise their comprehensive plans and development regulations to ensure continued compliance with the Growth Management Act (GMA). This has been a challenging process for many jurisdictions and it's important to take all the necessary steps leading up to the final legislative action to complete it. Here are some important things to remember as your jurisdiction completes this process:

- Don't forget to send notice to CTED at least 60 days prior to the planned adoption date of any revisions

AND before the final legislative action is taken under RCW 36.70A.130(1).

- Ensure early and continuous public participation, including at least one public hearing. It's especially important to provide the opportunity for public review and comment of all substantive changes made to a final ordinance or resolution – even if that means scheduling an additional public hearing on the changes.
- Include findings of fact in adopting ordinances that completely describe the public participation, review and revision processes you have used, and declare specifically that the process has included all applicable requirements of RCW 36.70A.130.

- For jurisdictions revising critical areas ordinances to include best available science, include findings of fact identifying all sources of science that are the basis of revisions, and adequate supportive findings for any revisions that considered other non-scientific information.

- Within ten days after final adoption, send final copies of all revisions to comprehensive plans and development regulations, AND the final legislative action completing the update, to CTED. This will ensure that the GMS database accurately reflects your completion of the GMA update requirement and your jurisdiction remains eligible for all state grants and loans.

2004 Update Grants-Do You Need to Amend Your Contract?

As the 2004 GMA Update deadline of ***December 1, 2004***, approaches, please take the time now to review the scope of work and deadline in your contract with CTED to ensure you will be able to complete the work on time. Taking a few moments now may save problems later, as ***CTED will be unable to extend the timeline of the contract*** due to the statutory deadline for GMA updates. Note that, in most cases, the scope of work calls for **draft** documents to be delivered to fulfill the contract requirements.

If it's possible your jurisdiction isn't going to complete all work items in the contract scope of work by December 1, we strongly recommend that you immediately contact the GMS planner assigned to review your jurisdictions' update. (For GMS planner assignments, refer to our Web site at www.cted.wa.gov/growth or call (360) 725-3000.

Your GMS planner can suggest options for amending your contract's scope of work to more accurately reflect your actual progress and prospects for completion. If you are contemplating such an amendment, please send us your revised scope of work ***no later than October 22, 2004***.

Amendment requests received after October 22 may not have adequate time for processing before December 1, 2004.

2005 Update Grants Available

If your jurisdiction has a GMA Update deadline of December 1, 2005, grant funding has been reserved at CTED to assist your update work. Notification letters were mailed in June detailing these reserved amounts – but GMS must receive a completed application from your jurisdiction to create a contract and provide the funding.

If you have not yet sent an application, or if you have a draft contract that has not been signed, please contact your assigned GMS planner at (360) 725-3000.

What Happens If Your Jurisdiction Doesn't Complete Its GMA Update Before the Statutory Deadline?

CTED cannot waive or extend a jurisdiction's update deadline, which is established by law in RCW 36.70A.130(4). Only a city or county that has taken the final legislative action required to complete its update may be considered eligible to receive funds from the Public Works Trust

Fund or the Centennial Clean Water account, or to receive preference for other grants and loans subject to the provisions of RCW 43.155.050.

Additionally, jurisdictions that have not completed their GMA Update by the statutory deadline would be vulnerable to a potential "failure to act" petition to a growth management hearings board.

If your city or county has made significant progress on its update, but is not able to take final legislative action to complete it by your update deadline, it would be prudent to demonstrate good faith and progress to the public and potential petitioners. To do so, CTED recommends that, before the update deadline, your elected officials adopt a resolution that documents progress-to-date and a schedule for completing the update – then, of course, move as quickly as possible to complete the update according to that schedule.

Legislature Assigns Studies to CTED

CTED is working on several studies assigned by the State Legislature in 2004. More information is available at www.cted.wa.gov/growth.

Agriculture Lands

SB 6488 requires a report on the designation of agricultural lands with long-term commercial significance in King, Chelan, Lewis, and Yakima counties. *Contact: Betty Renkor at (360) 725-5035.*

Annexation

A proviso in the adopted state supplemental budget (ESHB 2459) calls for a study of annexation in the six "buildable lands" counties – Snohomish, King, Pierce, Kitsap, Thurston, and Clark. *Contact: Dahra Latham at (360) 725-5036.*

Costs of Reporting Permitting Timelines

HB 2811 amended local government requirements for project permitting timelines and annual reporting on each type of permit application. The bill applies only to buildable lands counties and cities within them over 20,000 population. The bill also requires CTED to provide a report on the projected costs associated with the annual report requirement of the bill. CTED has sent an email survey to affected counties and cities to gather information for that report. *Contact: Wendy Compton-Ring, (360) 725-3051.*

Expedited Review Available

The 2004 Washington State Legislature authorized CTED to grant expedited review by state agencies of certain development regulations adopted or amended by local governments [RCW 36.70A.106(3)(b)]. If granted, expedited review allows cities or counties to adopt minor development regulations in a shorter time period than 60 days. Expedited review is intended for amendments to development regulations in cases where state agencies typically would not comment on the proposal and where, without expedited review, the standard state agency review time period of 60 days would needlessly delay the jurisdiction's adoption process. For more information on expedited review, go to www.cted.wa.gov/growth, scroll down to Program Functions,

and click on plans and regulations or contact David Andersen at (360) 725-3052.

GMS Web site Updates

Visit our GMS Web site at www.cted.wa.gov/growth for lots of helpful information on GMA Updates, specific planning topics, and other assistance available from CTED. We continue to work hard to upgrade and add to the information available on the site, and encourage you to visit regularly. Recent additions include pages on the CTED studies underway on agricultural lands designation and annexation, and the most recent update of our popular summary of the *Growth Management Act and Related Laws, 2004 Edition*.

'Affordable by Design' Shows Housing Options

CTED's Web page, *Affordable by Design*, is part of a program intended to further public awareness of well-designed, affordable and higher density housing being developed within Washington's urban growth areas. Under the GMA, the term "affordable housing" applies to housing for **all** economic levels of the community.

While the GMA encourages the creation of affordable housing through innovative planning, many communities continue to search for the right tools to achieve their affordable housing goals.

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'Affordable by Design' provides information and outstanding examples of housing developments whose principles of planning, design, and implementation can be applied in other communities. It is a good resource for local governments, land use planners, developers, planning commissions, elected officials, citizens, and housing financiers, containing detailed information on award-winning housing developments, best practices, and publications on affordable housing.

Please also consider using the Web site feature to submit additional projects from your community that are outstanding examples of well-designed housing.

Urban Residential Density Guidance Paper Completed

GMS staff have been working with local governments on a guidance paper that addresses the difficult issue of providing for urban levels of residential density throughout urban growth areas (UGAs). This paper is now available on the GMS Web site at www.cted.wa.gov/growth. While the paper is intended primarily for Central Puget Sound jurisdictions, it may be helpful to any local government working on this issue.

The paper discusses the importance of providing for and encouraging urban density of development within UGAs under the GMA. It includes descriptions of various tools that local governments can use to achieve the GMA goals of encouraging development in urban areas and reducing sprawl. It also provides summaries of pertinent decisions by the Central Puget Sound Growth Management Hearings Board on this topic.

We at GMS appreciate the many helpful comments that were received during the drafting of this guidance paper, which improved the usefulness of the document.

Upcoming Planning Forums

As part of our mission to provide technical assistance to jurisdictions implementing the GMA, CTED is pleased to invite you to the following four planners' forums, co-sponsored with the Planning Association of Washington and the American Planning Association – Washington Chapter:

Eastern Region, Moses Lake

*October 13, 2004
Best Western Hallmark Inn
I-90 Exit 176*

Olympic Region, Poulsbo

*October 14, 2004
Island Lake County Park
Community Center
1087 NW Island Lake Road*

Northwest Region, Mount Vernon

*October 20, 2004
Best Western Cotton Tree Inn
2401 Riverside Drive*

Southwest Region, Vancouver

*October 21, 2004
Vancouver City Hall
210 East 13th Street*

NOTE: All forums will be held from 9:00 a.m. to 3:00 p.m., with lunch on your own.

If you have any questions, please contact Cynthia Ritchey at (360) 725-3000.